



**LAND DEVELOPMENT CODE AMENDMENT**

**PETITION**

PL20200002400

**ORIGIN**

Board of County  
Commissioners (Board)

**HEARING DATES**

BCC           TBD  
CCPC         TBD  
DSAC         TBD  
DSAC-LDR   12/15/2020

**SUMMARY OF AMENDMENT**

This land development code (LDC) amendment creates the Collier Boulevard/Interstate 75 Innovation Zone Overlay (CBIIZO), which serves to implement the economic development goals of the Interchange Activity Center No. 9 Innovation Zone. The CBIIZO is a new zoning overlay that adds several industrial, manufacturing, and movie production uses as permitted uses.

**LDC SECTION TO BE AMENDED**

1.08.01 Abbreviations  
2.03.07 Overlay Zoning Districts  
4.02.37 Specific Design Standards for Development in the Collier Boulevard/Interstate 75 Innovation Zone Overlay (new section)

**ADVISORY BOARD RECOMMENDATIONS**

**DSAC-LDR**  
TBD

**DSAC**  
TBD

**CCPC**  
TBD

**BACKGROUND**

When the original Future Land Use Element (FLUE) of the Growth Management Plan was adopted in 1989, it created the Urban Future Land Use Designation, including the Urban – Commercial District and the Activity Center Subdistrict. The Activity Center Subdistrict included three Interchange Activity Centers—one being the S.R. 951 – Interstate 75—which is now known as Activity Center No. 9. In May 2000, Activity Center No. 9 was amended pursuant to the adoption of Ord. 2000-33, to allow all uses from the Business Park Subdistrict of the FLUE. In addition, industrial uses were approved for the northeast and southeast quadrants of I-75 and Collier Boulevard and in the southwest quadrant of Collier and Davis Boulevards. The most current map of Activity Center No. 9 in the FLUE is depicted in Exhibit A.

On July 10, 2018, the Board established the Interchange Activity Center No. 9 Innovation Zone, pursuant to the adoption of Ord. 2018-39 (see Exhibit B). The Innovation Zone in Ord. 2018-39 was created to promote economic growth and diversify the economy of Collier County by attracting and retaining qualified targeted industry (QTI) businesses as defined by Florida Statute 288.106 (see Exhibit C). The external boundary of the Innovation Zone in Ord. 2018-39 is comprised of lands both inside and outside the Activity Center No. 9 in the FLUE. As such, a GMP amendment (PL20190000821) is proposed as a companion item to this LDC amendment, in part, to account for the lands outside Activity Center No. 9 in the FLUE. The companion GMP amendment will establish the Collier Boulevard/Interstate 75 Innovation Zone Overlay by amending the Overlays and Special Features section of the FLUE. It will include uses from the QTI (see Exhibit D).

This LDC amendment creates the CBIIZO, which serves to implement the economic development goals of the Interchange Activity Center No. 9 Innovation Zone in Ord. 2018-39. The CBIIZO creates a new zoning overlay that adds several industrial, manufacturing, and movie production uses as permitted uses. The external boundaries of the CBIIZO and companion GMP amendment will be identical. The proposed uses in the CBIIZO are consistent with the proposed uses in the companion GMP amendment and the uses listed in the Innovation Zone in Ord. 2018-39. The manufacturing uses from the QTI include a wide variety of industries; however, the CBIIZO is only intended to attract those businesses that utilize what are commonly referred to as “advanced

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manufacturing” techniques and business processes. Therefore, a number of performance and design standards are included to ensure the manufacturing uses do not create impacts to the surrounding community that are inconsistent with the built environment.

A benefit of creating the CBIIZO is to provide property owners an alternative to submitting rezoning applications, which can be time-consuming and costly with no guarantee of approval.

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**FISCAL & OPERATIONAL IMPACTS**

There are no anticipated fiscal or operational impacts associated with this amendment. This amendment will support the Board’s goal of economic growth in the targeted area. The amendment will eliminate the need to rezone some of the properties within the overlay in order to develop any of the proposed permitted uses, thereby potentially reducing the time and costs associated with development associated with these industries.

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**GMP CONSISTENCY**

The proposed LDC amendment is companion to GMPA. The consistency review will be provided by Comprehensive Planning Staff after first review.

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**EXHIBITS:** A) Activity Center No. 9 in the FLUE; B) Ordinance 2018-39; C) Florida Statute 288.106(1-2); and D) Enterprise Florida’s QTI

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~~Text strikethrough is current text to be deleted~~

Amend the LDC as follows:

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## 1.08.01 – Abbreviations

\* \* \* \* \*

C-5	Heavy Commercial Districts
<u>CBIIZO</u>	<u>Collier Boulevard/Interstate 75 Innovation Zone Overlay</u>
CCME	Conservation and Coastal Management Element of the Growth Management Plan

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## 2.03.07 – Overlay Zoning Districts

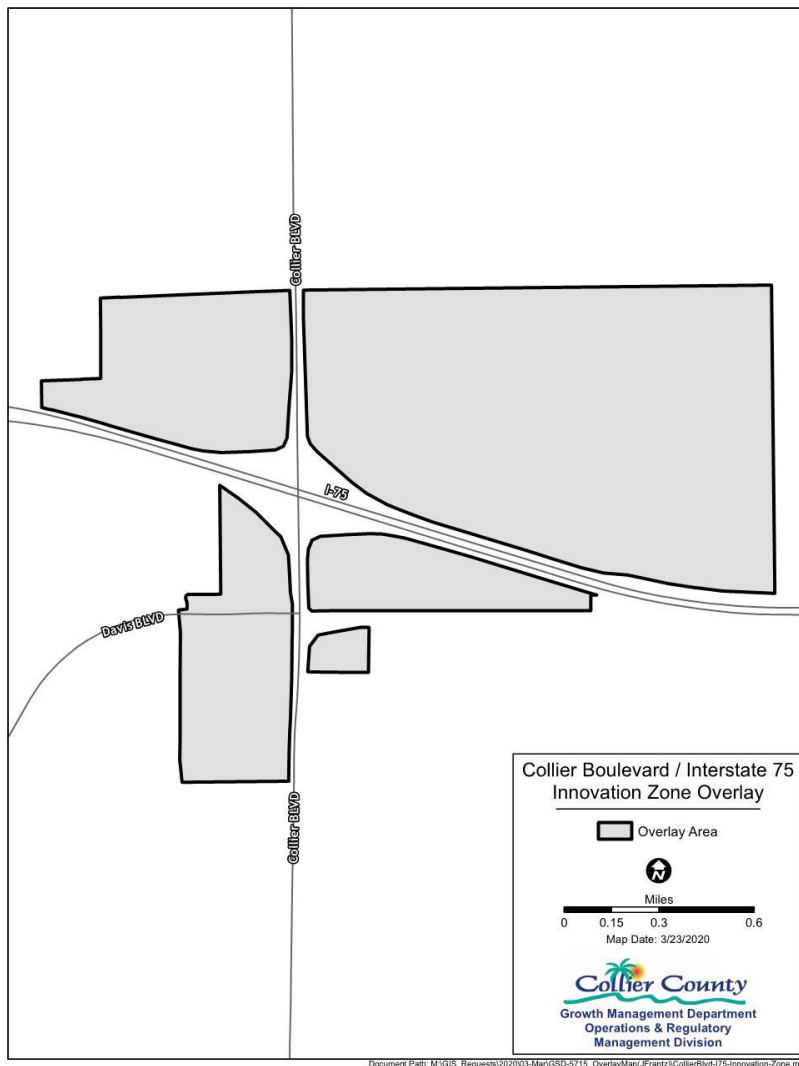
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### O. ~~Reserved.~~ Collier Boulevard/Interstate 75 Innovation Zone Overlay (CBIIZO)

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1. Purpose. The purpose of the CBIIZO is to promote economic growth and diversify the economy of Collier County by attracting and retaining qualified targeted industry business as defined by Florida Statute 288.106. The CBIIZO provides for additional uses, as listed below, beyond those allowed by the underlying zoning districts or Planned Unit Development (PUD).
2. Applicability. The CBIIZO boundary is delineated on the map below. PUDs within the CBIIZO may choose to develop according to the overlay. Development standards for the CBIIZO are identified in LDC section 4.02.379.



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3. Permitted Uses. The following uses, as identified with a number from the North American Industry Classification System (2017), are permissible by right, except where the underlying zoning or PUD allows residential uses:

a. Administrative and Support Services (561), except the following:

i. Office Administrative Services (5611).

ii. Business Support Services (5614).

iii. Facilities Support Services (5612).

iv. Services to Buildings and Dwellings (5617).

b. Aerospace Product and Parts Manufacturing (3364).

c. Apparel manufacturing (315).

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- d. Beverage Manufacturing (312), except the following:
  - i. Tobacco Manufacturing (3122).
- e. Computer and Electronic Product Manufacturing (334).
- f. Management of Companies and Enterprises (Corporate Headquarters) (551).
- g. Electrical Equipment, Appliance, and Component Manufacturing (335).
- h. Food Manufacturing (311), except the following:
  - i. Animal Slaughtering and Processing (3116).
  - ii. Seafood Product Preparation and Packaging (3117).
  - iii. Retail Bakeries (311811)
- i. Furniture and Related Product Manufacturing (337).
- j. Machinery Manufacturing (333), except the following:
  - i. Mining Machinery and Equipment Manufacturing (333131).
  - ii. Oil and Gas Field Machinery and Equipment Manufacturing (333132).
- k. Medical Equipment and Supplies Manufacturing (3391).
- l. Merchant Wholesalers, Durable and Nondurable Goods (423 and 424), except the following:
  - i. Coal and Other Mineral and Ore Merchant Wholesalers (423520).
  - ii. Construction and Mining Machinery and Equipment Merchant Wholesalers (423810).
  - iii. Industrial Machinery and Equipment Merchant Wholesalers (423830).
  - iv. Lumber and Other Construction Materials Merchant Wholesalers (4233).
  - v. Petroleum and Petroleum Products Merchant Wholesalers (4247).
- m. Motion Picture, Video, and Sound Recording Industries (512).
- n. News Syndicates, Libraries and Archives, and Internet Publishing and Broadcasting and Web Search Portals (519).

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- n. Paper Manufacturing (322), except the following:
  - i. Pulp, Paper, and Paperboard Mills (3221).
  - p. Printing and Related Support Activities (323).
  - q. Professional, Scientific, and Technical Services (541).
  - r. Publishing Industries (511).
  - s. Space Research and Technology (927).
  - t. Transportation, Warehousing, and Storage (492 and 493), except the following:
    - i. Farm Product Warehousing and Storage (493130).
    - ii. Other Warehousing and Storage Facilities (493190).
  - u. Wholesale Electronic Markets and Agents and Brokers (425).
  - v. Any other use which is comparable in nature with the foregoing uses, as determined by the Hearing Examiner or Board of Zoning Appeals, pursuant to LDC section 10.02.06 K.
- 4. Conditional Uses. Unless allowed in the underlying zoning district or PUD, and except where the underlying zoning or PUD allows residential uses, conditional uses within this overlay shall include the following.
  - a. Educational Services (611430, 611512, and 611710).
  - b. Fabricated Metal Product Manufacturing (332).
  - c. Pharmaceutical and Medicine Manufacturing (3254).
  - d. Telecommunications (517).
  - e. Textile Mills (313).
  - f. Textile Product Mills (314).

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**4.02.37 - Specific Design Standards for Development in the Collier Boulevard/Interstate 75 Innovation Zone Overlay (CBIIZO) ~~Reserved.~~**

A. Applicability. The standards contained in this section shall apply to all development in the CBIIZO, unless the proposed use is allowed in the underlying zoning district or PUD, as applicable, in which case the development standards shall be according to the underlying zoning district or PUD, as applicable.

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- 2 B. Architectural, building, and site design standards .
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- 4 1. Industrial/factory buildings in the BCIIZO shall be designed in accordance with the
- 5 provisions of LDC section 5.05.08., excluding the exceptions, modifications, and
- 6 additions listed in LDC section 5.05.08 E.7.b through h. In addition, rooftop
- 7 mechanical equipment shall be fully screened by parapets or other methods of
- 8 screening and such parapets or other screening material shall not exceed 10 feet
- 9 in height.
- 10
- 11 2. Exterior lighting shall comply with the following standards:
- 12
- 13 a. All light fixtures shall be directed away from neighboring properties.
- 14
- 15 b. Illumination levels in the CBIIZO shall not exceed 0.5 footcandles at
- 16 property lines where adjacent to residential development or residentially-
- 17 zoned property, excluding where required pursuant to LDC section 6.06.03.
- 18
- 19 3. Access shall be in accordance with the Collier County GMP.
- 20
- 21 4. The provisions of LDC section 5.05.08 F.4. shall apply, except that loading docks,
- 22 solid waste facilities, recycling facilities, and other services elements shall be
- 23 placed to the sides or rear of the building. Service function areas shall be screened
- 24 along rights-of-way in accordance with LDC Section 4.02.26 B., where applicable.

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- 26 C. Operational Requirements.
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- 28 1. All manufacturing activities shall be conducted within a fully enclosed building.
- 29 Activities include but are not limited to the following:
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- 31 a. The use or storage of any fixed or moveable business equipment:
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- 33 b. The use, storage, display, sale, offering for sale, production, or
- 34 consumption in any business, or by any business invitee on the premises
- 35 of the business, of any goods, wares, merchandise, products, or foods; or
- 36
- 37 c. The performance of any work or services.
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- 39 2. No outdoor activity, including loading, unloading, maintenance, truck idling, or
- 40 related activity shall occur between the hours of 10:00 P.M. and 7:00 A.M.
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- 42 3. No outside storage and display shall be permitted, except for the parking of
- 43 commercial vehicles or for when approved as part of a temporary/special event in
- 44 accordance with LDC section 5.04.05.

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- 46 D. Environmental Requirements.
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- 48 1. The use shall not emit dust, smoke, odor, or vibration that can be perceived from
- 49 abutting properties.
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2. No use listed in LDC section 2.03.07 O.3. shall produce noise exceeding the sound level limits for Commercial or Tourist uses as set forth in the Collier County Noise Control Ordinance No. 90-17, as amended.

3. Storage of hazardous waste or hazardous products, as defined by LDC section 1.08.02 shall include temporary secondary containment with a capacity of 110 percent of the stored hazardous waste or hazardous products.

4. Any discharge from industrial, commercial, or manufacturing processes to a stormwater or surface water management system is prohibited. Wastewater from any industrial, commercial, or manufacturing process must be contained within a building or disposed of through the Collier County Water-Sewer District's wastewater collection system pursuant to the Collier County Industrial Pretreatment Ordinance, (Ord. No. 2003-18, as amended).

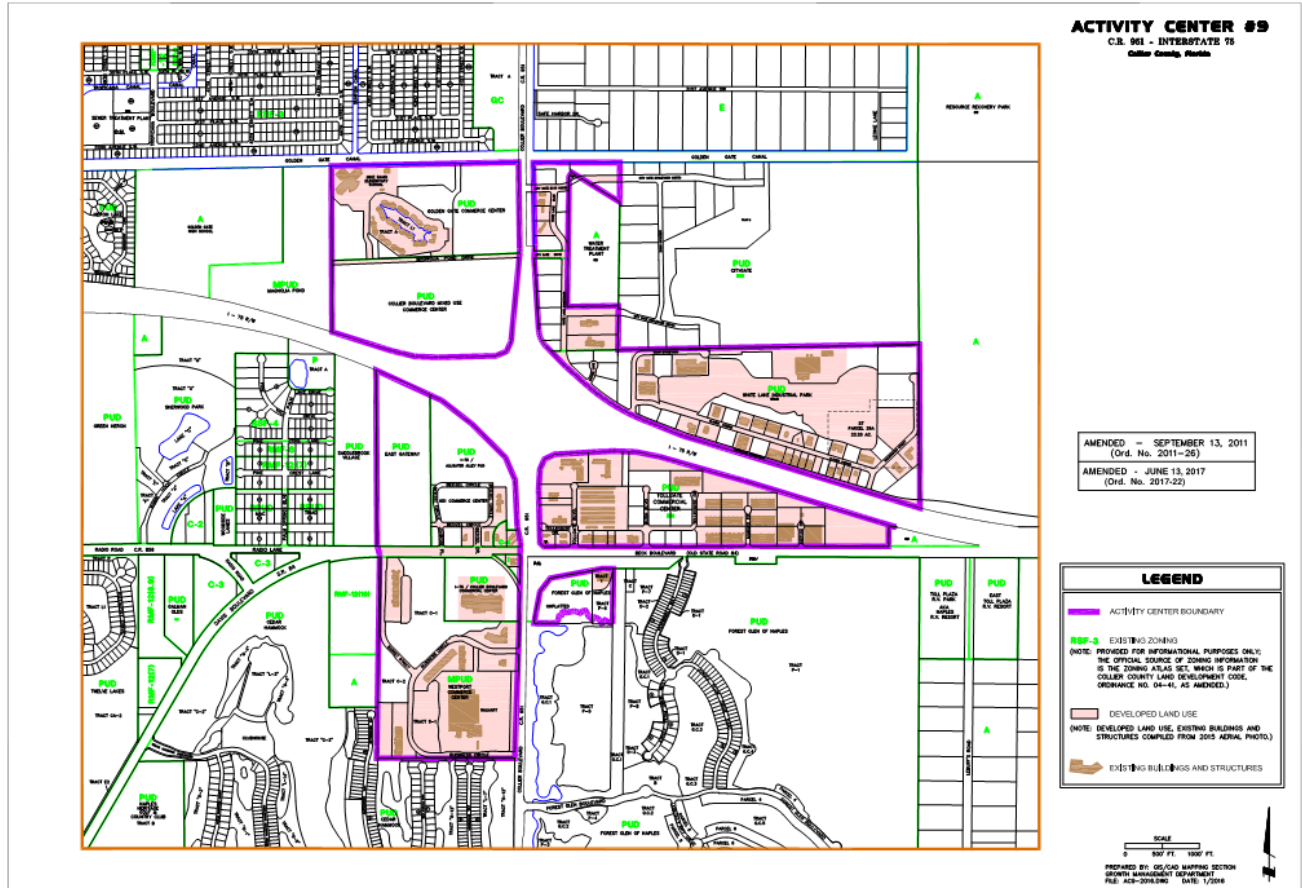
## E. Emergency Situations.

1. Collier County may, without prior notice, order the immediate termination or suspension of any activity if it presents an imminent and substantial danger to health and safety, the environment, or a stormwater management system.

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# Exhibit A – Activity Center No. 9 in the FLUE



## Exhibit B – Ordinance 2018-39

### ORDINANCE NO. 2018- 39

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, ESTABLISHING THE INTERCHANGE ACTIVITY CENTER NO. 9 INNOVATION ZONE; PROVIDING FOR THE CALCULATION OF AN ANNUAL TAX INCREMENT AMOUNT WITHIN THIS INNOVATION ZONE; CREATING AN INNOVATION ZONE TRUST FUND FOR THE TRANSFER AND MAINTENANCE OF SUCH TAX INCREMENT AMOUNTS; SETTING FORTH THE ECONOMIC DEVELOPMENT PLAN FOR THIS INNOVATION ZONE; PROVIDING FOR CONFLICT, SEVERABILITY, AND INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, in addition to its broad home rule powers, Collier County is expressly authorized under Section 125.045, Florida Statutes to “expend public funds for economic development activities, including, but not limited to, developing or improving local infrastructure, issuing bonds to finance or refinance the cost of capital projects for industrial or manufacturing plants, leasing or conveying real property, and making grants to private enterprises for the expansion of businesses existing in the community or the attraction of new businesses to the community;” and

WHEREAS, Collier County previously adopted Ordinance No. 2010-20 providing for the creation of Innovation Zones, specifically finding as follows:

*“It is the policy of the Board to promote economic growth which results in high wage jobs and helps diversify the economy of Collier County. To further this policy, it is the intent of the Board to create a dedicated source of revenue to fund an economic development program and to advance economic development initiatives in zones of geographic concentration within the unincorporated areas of the County. These zones, to be called Innovation Zones, will be designated by the Board from time to time through the implementation of Economic Development Plans adopted by resolution for each Innovation Zone;”* and

WHEREAS, for many years development has unduly lagged within the industrial and commercial areas near the Interstate 75 and Collier Boulevard intersection; and

WHEREAS, the Board believes that Innovation Zones spur economic development in Collier County by targeting specific industries with the potential to add high wage employment opportunities; and

WHEREAS, the Board believes that it is in the substantial public interest to create an Innovation Zone around the industrial and commercial areas near the Interstate 75 and Collier Boulevard intersection to help accelerate this area’s development, thereby creating both high wage jobs as well as a healthy tax base for the citizens of Collier County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

# Exhibit B – Ordinance 2018-39

## **Section One: Definitions and Findings**

This Ordinance is intended to be a companion ordinance to Ordinance No. 2010-20, known as the Collier County Innovation Zone Ordinance. Accordingly, the Board of County Commissioners hereby adopts in full the definitions and findings set forth in Ordinance 2010-20, except for the Base Year Assessment Roll, which is defined below, and as modified hereby incorporates such definitions and findings as if specifically set forth below.

## **Section Two. Establishment of the Interchange Activity Center No. 9 Innovation Zone.**

The Board of County Commissioners hereby creates the Interchange Activity Center No. 9 Innovation Zone. The Interchange Activity Center 9 Innovation Zone shall be comprised of Activity Center No. 9, as defined in the Future Land Use Element of the Collier County Growth Management Plan, together with additional adjacent vacant industrial land, as graphically described in Exhibit A.

## **Section Three. Initial Tax Increment Year and Percentage.**

For purposes of establishing the Base Year Assessment Roll, the base year shall be the last Collier County Real Property Assessment Roll certified by the Property Appraiser for the County Fiscal Year beginning October 1, 2016. Tax increments shall commence to be deposited into the Trust Fund with the County fiscal year commencing on October 1, 2018, and funding shall continue through September 30, 2028, unless extended by majority vote of the Board by Resolution. The amount of the tax increment to be deposited into the Trust Fund shall be equal to 100% of the amount based on the formula set forth in Section 4(B) of Collier County Ordinance No. 2010-20.

## **Section Four: Creation of an Economic Trust Fund.**

The County hereby creates the Interchange Activity Center No. 9 Innovation Zone Trust Fund. The tax increment shall be deposited into the trust fund and the trust fund proceeds shall be utilized to implement the Economic Development Plan set forth in Section Five. The Trust Fund corpus will not exceed One Million Dollars (\$1,000,000) in any single fiscal year, and is subject to annual appropriation by the County. Up to 5% of the Trust Corpus shall be reserved as an annual administrative fee for the County. Upon termination of the Trust Fund, any unspent and unencumbered proceeds shall revert to the County's General Fund.

## **Section Five: Adoption of the Economic Development Plan.**

The primary purpose of the Interchange Activity Center No. 9 Innovation Zone is to attract and retain qualified targeted industry business as defined by Florida Statute 288.106. Trust funds may be utilized in any lawful manner, including infrastructure required to serve new target businesses or the expansion of an existing target business; payment of County Impact Fees to be paid by the new target business or the expansion of an existing target business; and payment of building permit fees or other County fees related to the construction of structures to serve the target business. In addition to this primary purpose, trust funds may be utilized in any lawful manner

# Exhibit B – Ordinance 2018-39

which the Board of County Commissioners determines fosters economic development. Payment of funds are purely discretionary, and must be approved in advance by the Board of County Commissioners. All expenses must be fully documented in a manner acceptable to the County. Priority of funding will be for the development within the Interchange Activity Center No. 9 Innovation Zone, as graphically represented by Exhibit A.

### Section Six: Conflict and Severability.

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any court of competent jurisdiction holds any phrase or portion of the Ordinance invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

### Section Seven: Inclusion in the Code of Laws and Ordinances.

The provisions of this Ordinance shall become and may be made a part of the Code of Laws and Ordinances of Collier County, Florida. The section of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "Section," "Article," or any other appropriate word.

### Section Eight: Effective Date.

This Ordinance shall take effect upon filing with the Florida Department of State.

**PASSED AND DULY ADOPTED** by the Board of County Commissioners of Collier County; Florida, this 10<sup>th</sup> day of July, 2018.

ATTEST:  
CRYSTAL K. KINZEL, Interim Clerk

By: *Julia Cannon*

Attest as to Chairman's signature only.

Approved as to form and legality:

*Jeffrey A. Klatzkow*  
Jeffrey A. Klatzkow, County Attorney

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

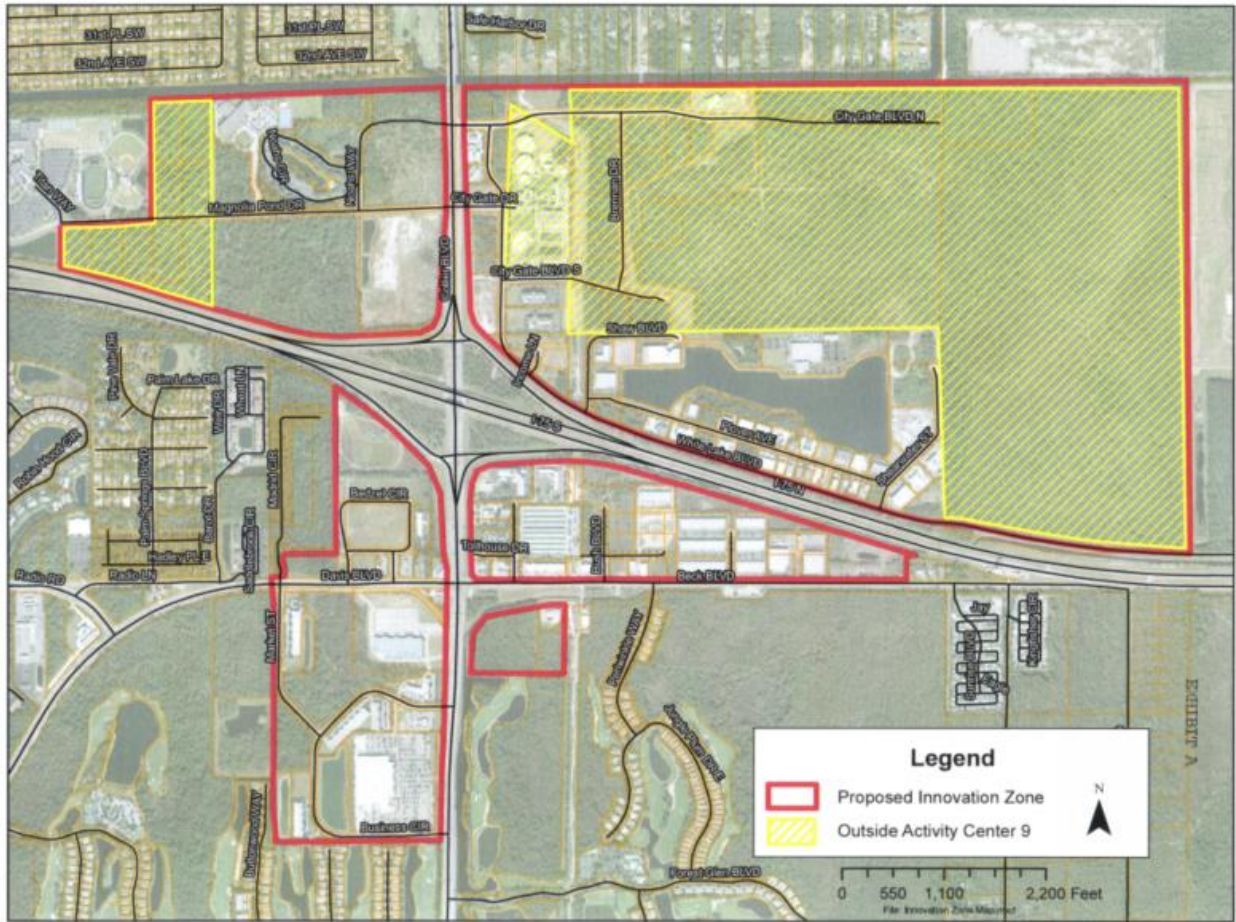
By: *Andy Solis*  
ANDY SOLIS, CHAIRMAN

This ordinance filed with the Secretary of State's Office the 12<sup>th</sup> day of July, 2018 and acknowledgement of that filing received this 10<sup>th</sup> day of July, 2018

By: *Julia Cannon*  
Deputy Clerk



# Exhibit B – Ordinance 2018-39



# Exhibit B – Ordinance 2018-39



## FLORIDA DEPARTMENT OF STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

July 12, 2018

Ms. Crystal K. Kinzel, Interim Clerk  
Collier County  
Post Office Box 413044  
Naples, Florida 34101-3044

Attention: Teresa Cannon

Dear Ms. Kinzel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 2018-39, which was filed in this office on July 12, 2018.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

**R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250**  
Telephone: (850) 245-6270  
[www.dos.state.fl.us](http://www.dos.state.fl.us)

## Exhibit C – Florida Statutes 288.106 (1-2)

### 288.106 Tax refund program for qualified target industry businesses.—

(1) LEGISLATIVE FINDINGS AND DECLARATIONS.—The Legislature finds that retaining and expanding existing businesses in the state, encouraging the creation of new businesses in the state, attracting new businesses from outside the state, and generally providing conditions favorable for the growth of target industries creates high-quality, high-wage employment opportunities for residents of the state and strengthens the state’s economic foundation. The Legislature also finds that incentives narrowly focused in application and scope tend to be more effective in achieving the state’s economic development goals. The Legislature further finds that higher-wage jobs reduce the state’s share of hidden costs, such as public assistance and subsidized health care associated with low-wage jobs. Therefore, the Legislature declares that it is the policy of the state to encourage the growth of higher-wage jobs and a diverse economic base by providing state tax refunds to qualified target industry businesses that originate or expand in the state or that relocate to the state.

(2) DEFINITIONS.—As used in this section:

(a) “Account” means the Economic Development Incentives Account within the Economic Development Trust Fund established under s. 288.095.

(b) “Authorized local economic development agency” means a public or private entity, including an entity defined in s. 288.075, authorized by a county or municipality to promote the general business or industrial interests of that county or municipality.

(c) “Average private sector wage in the area” means the statewide private sector average wage or the average of all private sector wages and salaries in the county or in the standard metropolitan area in which the business is located.

(d) “Business” means an employing unit, as defined in s. 443.036, that is registered for reemployment assistance purposes with the state agency providing reemployment assistance tax collection services under an interagency agreement pursuant to s. 443.1316, or a subcategory or division of an employing unit that is accepted by the state agency providing reemployment assistance tax collection services as a reporting unit.

(e) “Corporate headquarters business” means an international, national, or regional headquarters office of a multinational or multistate business enterprise or national trade association, whether separate from or connected with other facilities used by such business.

(f) “Enterprise zone” means an area designated as an enterprise zone pursuant to s. 290.0065.

(g) “Expansion of an existing business” means the expansion of an existing Florida business by or through additions to real and personal property, resulting in a net increase in employment of not less than 10 percent at such business.

(h) “Fiscal year” means the fiscal year of the state.

(i) “Jobs” means full-time equivalent positions, including, but not limited to, positions obtained from a temporary employment agency or employee leasing company or through a union agreement or coemployment under a professional employer organization agreement, that result directly from a project in this state. The term does not include temporary construction jobs involved with the construction of facilities for the project or any jobs previously included in any application for tax refunds under s. 288.1045 or this section.

## Exhibit C – Florida Statutes 288.106 (1-2)

(j) “Local financial support” means funding from local sources, public or private, that is paid to the Economic Development Trust Fund and that is equal to 20 percent of the annual tax refund for a qualified target industry business. A qualified target industry business may not provide, directly or indirectly, more than 5 percent of such funding in any fiscal year. The sources of such funding may not include, directly or indirectly, state funds appropriated from the General Revenue Fund or any state trust fund, excluding tax revenues shared with local governments pursuant to law.

(k) “Local financial support exemption option” means the option to exercise an exemption from the local financial support requirement available to any applicant whose project is located in a brownfield area, a rural city, or a rural community. Any applicant that exercises this option is not eligible for more than 80 percent of the total tax refunds allowed such applicant under this section.

(l) “New business” means a business that applies for a tax refund under this section before beginning operations in this state and that is a legal entity separate from any other commercial or industrial operations owned by the same business.

(m) “Project” means the creation of a new business or expansion of an existing business.

(n) “Qualified target industry business” means a target industry business approved by the department to be eligible for tax refunds under this section.

(o) “Rural city” means a city having a population of 10,000 or fewer, or a city having a population of greater than 10,000 but fewer than 20,000 that has been determined by the department to have economic characteristics such as, but not limited to, a significant percentage of residents on public assistance, a significant percentage of residents with income below the poverty level, or a significant percentage of the city’s employment base in agriculture-related industries.

(p) “Rural community” means:

1. A county having a population of 75,000 or fewer.
2. A county having a population of 125,000 or fewer that is contiguous to a county having a population of 75,000 or fewer.
3. A municipality within a county described in subparagraph 1. or subparagraph 2.

For purposes of this paragraph, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

(q) “Target industry business” means a corporate headquarters business or any business that is engaged in one of the target industries identified pursuant to the following criteria developed by the department in consultation with Enterprise Florida, Inc.:

1. Future growth.—Industry forecasts should indicate strong expectation for future growth in both employment and output, according to the most recent available data. Special consideration should be given to businesses that export goods to, or provide services in, international markets and businesses that replace domestic and international imports of goods or services.



## Exhibit C – Florida Statutes 288.106 (1-2)

2. **Stability.**—The industry should not be subject to periodic layoffs, whether due to seasonality or sensitivity to volatile economic variables such as weather. The industry should also be relatively resistant to recession, so that the demand for products of this industry is not typically subject to decline during an economic downturn.

3. **High wage.**—The industry should pay relatively high wages compared to statewide or area averages.

4. **Market and resource independent.**—The location of industry businesses should not be dependent on Florida markets or resources as indicated by industry analysis, except for businesses in the renewable energy industry.

5. **Industrial base diversification and strengthening.**—The industry should contribute toward expanding or diversifying the state’s or area’s economic base, as indicated by analysis of employment and output shares compared to national and regional trends. Special consideration should be given to industries that strengthen regional economies by adding value to basic products or building regional industrial clusters as indicated by industry analysis. Special consideration should also be given to the development of strong industrial clusters that include defense and homeland security businesses.

6. **Positive economic impact.**—The industry is expected to have strong positive economic impacts on or benefits to the state or regional economies. Special consideration should be given to industries that facilitate the development of the state as a hub for domestic and global trade and logistics.

The term does not include any business engaged in retail industry activities; any electrical utility company as defined in s. 366.02(2); any phosphate or other solid minerals severance, mining, or processing operation; any oil or gas exploration or production operation; or any business subject to regulation by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation. Any business within NAICS code 5611 or 5614, office administrative services and business support services, respectively, may be considered a target industry business only after the local governing body and Enterprise Florida, Inc., make a determination that the community where the business may locate has conditions affecting the fiscal and economic viability of the local community or area, including but not limited to, factors such as low per capita income, high unemployment, high underemployment, and a lack of year-round stable employment opportunities, and such conditions may be improved by the location of such a business to the community. By January 1 of every 3rd year, beginning January 1, 2011, the department, in consultation with Enterprise Florida, Inc., economic development organizations, the State University System, local governments, employee and employer organizations, market analysts, and economists, shall review and, as appropriate, revise the list of such target industries and submit the list to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(r) “Taxable year” means taxable year as defined in s. 220.03(1)(y).

**QUALIFIED TARGET INDUSTRY (QTI) TAX REFUND**

**TARGET INDUSTRIES BY NAICS CODE**

*Only businesses able to locate in other states and serving multi-state and/or international markets are targeted. Retail activities, utilities, mining and other extraction or processing businesses, and activities regulated by the Division of Hotels and Restaurants of the Department of Business and Professional Regulation, are statutorily excluded from consideration. All projects are evaluated on an individual basis and therefore operating in a target industry does not automatically indicate eligibility.*

**MANUFACTURING (31-33)**

- Food Manufacturing (311)
- Beverage Manufacturing (312)
- Textile Mills (313)
- Textile Product Mills (314)
- Apparel Manufacturing (315)
- Leather and Allied Product Manufacturing (316)
- Wood Product Manufacturing (321)
- Paper Manufacturing (322)
- Printing and Related Support Activities (323)
- Petroleum and Coal Products Manufacturing (324)
- Chemical Manufacturing (325)
- Plastics and Rubber Products Manufacturing (326)
- Nonmetallic Mineral Product Manufacturing (327)
- Primary Metal Manufacturing (331)
- Fabricated Metal Product Manufacturing (332)
- Machinery Manufacturing (333)
- Computer and Electronic Product Manufacturing (334)
- Electrical Equipment, Appliance, and Component Manufacturing (335)
- Transportation Equipment Manufacturing (336)
- Furniture and Related Product Manufacturing (337)
- Miscellaneous Manufacturing (339)

**GLOBAL LOGISTICS & TRADE**

- Wholesale Trade (42)
  - Merchant Wholesalers, Durable Goods (423)
  - Merchant Wholesalers, Nondurable Goods (424)
  - Wholesale Electronic Markets and Agents and Brokers (425)
- Transportation and Warehousing (48-49)

**FINANCE & INSURANCE**

- Credit Intermediation and Related Activities (522)
- Securities, Commodity Contracts, and Other Financial Investments and Related Activities (523)
- Insurance Carriers and Related Activities (524)
- Funds, Trusts, and Other Financial Vehicles (525)

**INFORMATION TECHNOLOGY**

- Publishing Industries (except Internet) (511)
- Motion Picture & Sound Recording Industries (512)
- Telecommunications (517)
- Data Processing, Hosting & Related Services (518)
- Other Information Services (519)

**PROFESSIONAL, SCIENTIFIC & TECHNICAL SERVICES (54)**

**CORPORATE HEADQUARTERS**

- Management of Companies and Enterprises (55)

**OTHER**

- Educational Services (611)\*
- Medical & Diagnostic Laboratories (621)
- Space Research & Technology (927)

**ADMINISTRATIVE & SUPPORT SERVICES (561)\*\***

- \*Only includes 611430, 611512 and 611710
- \*\*Excludes 5611 and 5614 unless otherwise permitted in 288.106 F.S.